UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,525	01/05/2001	Daniel Melchione	NETAP005	5062

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EXAMINER
CHOUDHURY, AZIZUL Q

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 05/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.		Applicant(s)	
Office Action Summary	09/755,525		MELCHIONE ET AL.	
	Examiner		Art Unit	
	Azizul Choudhury		2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>05 January 2001</u>.
2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-33</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-33</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on <u>05 January 2001</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>2 & 6</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Detailed Action

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed

or described as set forth in section 102 of this title, if the differences between the

subject matter sought to be patented and the prior art are such that the subject

matter as a whole would have been obvious at the time the invention was made

to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negatived by the manner in which the invention was

made.

Claims 1-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Barroux (US Pat No: US005923850A) in view of Ries et al (US Pat No:

US006061724), hereafter referred to as Barroux and Ries, respectively.

1. With regards to claim 1, Barroux teaches through Ries, a system for management of

a network of devices and resources available to the devices via a computer network,

comprising: a network directory defining a network topology of nodes

corresponding to the network of devices and defining policies corresponding to and

to be enforced upon the resources available to the devices; a policy orchestrator

server in communication with the network directory, the policy orchestrator server

being adapted to determine a hierarchical tree structure containing the nodes based

upon location of each node in the network topology, determine a policy for each

node in the hierarchical tree structure, and communicate said policy to the

corresponding node; and an agent corresponding to each device in the network of

devices, the agent being in communication with the policy orchestrator server and

the resources corresponding to the device, the agent being adapted to receive data

from the policy orchestrator server and to enforce the policies corresponding to the

resources, wherein the policies corresponding to the resources of each device are

selectively inherited along the hierarchical tree structure

(Barroux teaches a system for managing a network of devices and resources. A

GUI is provided to view the network from a hierarchical level (topology) (column 4,

lines 49-52, Barroux). Barroux's design also allows for policy defining and enforcing

(column 3, line 64 – column 4, line 14, Barroux). This includes the search of the

network and policy handling techniques claimed. In addition, Barroux's design has

agents within each device to assist in monitoring and managing the network (column

3, lines 41-53, Barroux). However, Barroux does not teach the use of inherited

policies.

Ries also teaches a design for monitoring a network. Ries' design though does

allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network

monitoring, it is Ries' design that teaches the use of inherited policies. It would have

been obvious to one skilled in the art, during the time of the invention, to have

combined the teachings of Ries with those of Barroux, for the purpose of measuring

performance and monitoring service quality within an information system (column 2,

lines 62-65, Ries)).

2. With regards go claim 2, Barroux teaches through Ries, the system for management

of a network of devices and resources via a computer network, further comprising a

management console in communication with the network directory and the policy

orchestrator server for providing a user interface, the management console being

adapted to selectively display 5 the hierarchical tree structure and the policies stored

in the network directory

(Barroux teaches a system for managing a network of devices and resources. A

GUI is provided to view the network from a hierarchical level (topology) (column 4,

lines 49-52, Barroux). In addition, Barroux teaches how the GUI is a an interface for

managing (management console) (column 3, lines 24-40, Barroux). However,

Barroux does not teach the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though does

allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network

monitoring, it is Ries' design that teaches the use of inherited policies. It would have

been obvious to one skilled in the art, during the time of the invention, to have

combined the teachings of Ries with those of Barroux, for the purpose of measuring

performance and monitoring service quality within an information system (column 2,
lines 62-65, Ries)).

3. With regards to claim 3, Barroux teaches through Ries, the system for management
of a network of devices and resources via a computer network, wherein the
management console dynamically determines the policy of a selected node of the
hierarchical tree structure

(Barroux teaches a system for managing a network of devices and resources.
The processes to be performed are computed (column 4, line 3, Barroux), hence
they are determined dynamically. However, Barroux does not teach the use of
inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though does
allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network
monitoring, it is Ries' design that teaches the use of inherited policies. It would have
been obvious to one skilled in the art, during the time of the invention, to have
combined the teachings of Ries with those of Barroux, for the purpose of measuring
performance and monitoring service quality within an information system (column 2,
lines 62-65, Ries)).

4. With regards to claim 4, Barroux teaches through Ries, the system for management
of a network of devices and resources via a computer network, wherein the

management console dynamically determines the policy of the selected node by

reading the policies of nodes along a path of nodes from a root of the hierarchical

tree structure to the selected node and wherein the management console overwrites

previously, written policies upon reading conflicting policies at each node along the

path of nodes

(Barroux teaches a system for managing a network of devices and resources.

The processes to be performed are computed (column 4, line 3, Barroux), hence

they are determined dynamically. In addition, it is inherent that nodes will be check

along the hierarchical path. Barroux's design checks nodes individually along the

network path (column 14, lines 25 – column 18, line 21, Barroux). However, Barroux

does not teach the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though does

allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network

monitoring, it is Ries' design that teaches the use of inherited policies. It would have

been obvious to one skilled in the art, during the time of the invention, to have

combined the teachings of Ries with those of Barroux, for the purpose of measuring

performance and monitoring service quality within an information system (column 2,

lines 62-65, Ries)).

5. With regard to claim 5, Barroux teaches through Ries, the system for management

of a network of devices and resources via a computer network, wherein the

management console dynamically determines the policy of the selected node by

reading from the policies of the selected node up to the policies of a root of the

hierarchical tree structure

(Barroux teaches a system for managing a network of devices and resources.

The processes to be performed are computed (column 4, line 3, Barroux), hence

they are determined dynamically. However, Barroux does not teach the use of

inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though does

allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network

monitoring, it is Ries' design that teaches the use of inherited policies. It would have

been obvious to one skilled in the art, during the time of the invention, to have

combined the teachings of Ries with those of Barroux, for the purpose of measuring

performance and monitoring service quality within an information system (column 2,

lines 62-65, Ries)).

6. With regards to claim 6, Barroux teaches through Ries, the system for management

of a network of devices and resources via a computer network, wherein each policy

is selected from the group consisting of a configuration rule and a scheduled task

(Barroux teaches a system for managing a network of devices and resources.

The administrative database contains a database of the policies that are enforceable

and hence the policy can be selected as claimed (column 3, line 54 – column 4, line 10, Barroux). However, Barroux does not teach the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though does allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network monitoring, it is Ries' design that teaches the use of inherited policies. It would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Ries with those of Barroux, for the purpose of measuring performance and monitoring service quality within an information system (column 2, lines 62-65, Ries)).

7. With regards go claim 7, Barroux teaches through Ries, the system for management of a network of devices and resources via a computer network, wherein at least one policy is a scheduled task and wherein the agent causes performance of the task when the scheduled task is to be performed

(Barroux teaches a system for managing a network of devices and resources. The policies of Barroux's design are scheduled tasks (column 3, line 54 – column 4, line 10, Barroux). However, Barroux does not teach the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though does allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network monitoring, it is Ries' design that teaches the use of inherited policies. It would have

been obvious to one skilled in the art, during the time of the invention, to have

combined the teachings of Ries with those of Barroux, for the purpose of measuring

performance and monitoring service quality within an information system (column 2,

lines 62-65, Ries)).

8. With regards to claim 8, Barroux teaches through Ries, the system for management

of a network of devices and resources via a computer network, wherein the policy

orchestrator server includes a software repository adapted to be selectively,

transmitted to the device via the agent corresponding to the device

(Barroux teaches a system for managing a network of devices and resources.

Barroux's design has a software repository and allows for the software to be

delivered and installed into the network devices (column 11, line 40 – column 14,

line 22, Barroux). However, Barroux does not teach the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though does

allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network

monitoring, it is Ries' design that teaches the use of inherited policies. It would have

been obvious to one skilled in the art, during the time of the invention, to have

combined the teachings of Ries with those of Barroux, for the purpose of measuring

performance and monitoring service quality within an information system (column 2,

lines 62-65, Ries)).

9. With regards to claim 9, Barroux teaches through Ries, the system for management

of a network of devices and resources via a computer network, wherein the policy

orchestrator server includes   an agent installation module adapted to be transmitted to

the device for installation of the corresponding agent on the device

    (Barroux teaches a system for managing a network of devices and resources.

Barroux's design has a software repository and allows for the software to be

delivered and installed into the network devices (column 11, line 40 – column 14,

line 22, Barroux). An agent must be present for such a process to occur as claimed.

However, Barroux does not teach the use of inherited policies.

    Ries also teaches a design for monitoring a network. Ries' design though does

allow for policies to be inherited (column 3, lines 13-16, Ries).

    While both Barroux's design and Ries' design disclose methods for network

monitoring, it is Ries' design that teaches the use of inherited policies. It would have

been obvious to one skilled in the art, during the time of the invention, to have

combined the teachings of Ries with those of Barroux, for the purpose of measuring

performance and monitoring service quality within an information system (column 2,

lines 62-65, Ries)).

10. With regards to claim 10, Barroux teaches through Ries, the system for

    management of a network of devices and resources via a computer network,

    wherein each agent includes a task execution component for causing performance

    of a scheduled task at a scheduled time, a policy enforcement component for

enforcing policies applicable to resources of the corresponding device, a property

collection component for collecting and storing properties of the corresponding

resources of the device and for transmitting the properties to the policy orchestrator

server, and an event collection component for collecting and storing event data and

for transmitting the event data to the policy orchestrator server

(Barroux teaches a system for managing a network of devices and resources.

Barroux's design has a software repository and allows for the software to be

delivered and installed into the network devices (column 11, line 40 – column 14,

line 22, Barroux). An agent must be present for such a process to occur as claimed.

In addition, Barroux's design allows for scheduled tasks (column 3, line 64 – column

4, line 13, Barroux) and device property retrieval and storage as claimed (column 14,

line 25 – column 18, line 21, Barroux). However, Barroux does not teach the use of

inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though does

allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network

monitoring, it is Ries' design that teaches the use of inherited policies. It would have

been obvious to one skilled in the art, during the time of the invention, to have

combined the teachings of Ries with those of Barroux, for the purpose of measuring

performance and monitoring service quality within an information system (column 2,

lines 62-65, Ries)).

11. With regards to claim 11, Barroux teaches through Ries a method for management

of a network of devices and resources available to the devices via a computer

network, comprising: determining a hierarchical tree structure based upon locations

of devices in a network topology, each device being a node in the hierarchical tree

structure; determining policies for each node in the hierarchical tree structure to be

enforced by an agent corresponding to each node, the agent being in

communication with the device and the resources corresponding to the device; and

communicating the policy to the corresponding agent; and wherein the policies

corresponding to the resources of each device are selectively inherited along the

hierarchical tree structure of the network directory

(Barroux teaches a system for managing a network of devices and resources. A

GUI is provided to view the network from a hierarchical level (topology) (column 4,

lines 49-52, Barroux). Barroux's design also allows for policy defining and enforcing

(column 3, line 64 – column 4, line 14, Barroux). This includes the search of the

network and policy handling techniques claimed. In addition, Barroux's design has

agents within each device to assist in monitoring and managing the network (column

3, lines 41-53, Barroux). However, Barroux does not teach the use of inherited

policies.

Ries also teaches a design for monitoring a network. Ries' design though does

allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network

monitoring, it is Ries' design that teaches the use of inherited policies. It would have

been obvious to one skilled in the art, during the time of the invention, to have

combined the teachings of Ries with those of Barroux, for the purpose of measuring

performance and monitoring service quality within an information system (column 2,

lines 62-65, Ries)).

12. With regards to claim 12, Barroux teaches through Reis, the method for

management of a network of devices and resources via a computer network, further

comprising enforcing the polices by the agent upon the corresponding device and

resources available to the device

(Barroux teaches a system for managing a network of devices and resources.

Barroux's design has the policies enforce by agents, as in all network monitoring or

managing systems (column 3, line 24 – column 4, line 19, Barroux). However,

Barroux does not teach the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though does

allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network

monitoring, it is Ries' design that teaches the use of inherited policies. It would have

been obvious to one skilled in the art, during the time of the invention, to have

combined the teachings of Ries with those of Barroux, for the purpose of measuring

performance and monitoring service quality within an information system (column 2,

lines 62-65, Ries)).

13. With regards to claim 13, Barroux teaches through Ries, the method for

management of a network of devices and resources via a computer network, further

comprising: transmitting an agent installation package to the corresponding device;

installing the agent on the device; and transmitting a message by the agent to the

policy orchestrator server, the message containing properties of the device, the

agent being adapted to enforce the policies corresponding to the resources

contained in the network directory

    (Barroux teaches a system for managing a network of devices and resources.

The agents in network monitoring/managing systems have to installed, as they are in

Barroux's design and as claimed (column 11, lines 40-48, Barroux). However,

Barroux does not teach the use of inherited policies.

    Ries also teaches a design for monitoring a network. Ries' design though does

allow for policies to be inherited (column 3, lines 13-16, Ries).

    While both Barroux's design and Ries' design disclose methods for network

monitoring, it is Ries' design that teaches the use of inherited policies. It would have

been obvious to one skilled in the art, during the time of the invention, to have

combined the teachings of Ries with those of Barroux, for the purpose of measuring

performance and monitoring service quality within an information system (column 2,

lines 62-65, Ries)).

14. With regards to claim 14, Barroux teaches through Ries, the method management of

computer application via a computer network, further comprising selectively

displaying the hierarchical tree structure and the policies stored in the network

directory by a management console in communication with the network directory and

the policy orchestrator server, the management console providing a user interface

(Barroux teaches a system for managing a network of devices and resources. A

GUI is provided to view the network from a hierarchical level (topology) (column 4,

lines 49-52, Barroux). In addition, Barroux teaches how the GUI is a an interface for

managing (management console) (column 3, lines 24-40, Barroux). However,

Barroux does not teach the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though does

allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network

monitoring, it is Ries' design that teaches the use of inherited policies. It would have

been obvious to one skilled in the art, during the time of the invention, to have

combined the teachings of Ries with those of Barroux, for the purpose of measuring

performance and monitoring service quality within an information system (column 2,

lines 62-65, Ries)).

15. With regards to claim 15, Barroux teaches through Ries, the method management of

computer application via a computer network, further comprising dynamically

determining the policy of a selected node of the hierarchical tree structure by the

management console

(Barroux teaches a system for managing a network of devices and resources. The processes to be performed are computed (column 4, line 3, Barroux), hence they are determined dynamically. However, Barroux does not teach the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though does allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network monitoring, it is Ries' design that teaches the use of inherited policies. It would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Ries with those of Barroux, for the purpose of measuring performance and monitoring service quality within an information system (column 2, lines 62-65, Ries)).

16. With regards to claim 16, Barroux teaches through Ries, the method management of computer application via a computer network, wherein the dynamic determining includes reading policies of nodes along a path of nodes from a root of the hierarchical tree structure down to the selected node and overwriting previously written policies upon reading conflicting policies at each node along the path of nodes

(Barroux teaches a system for managing a network of devices and resources. The processes to be performed are computed (column 4, line 3, Barroux), hence they are determined dynamically. In addition, it is inherent that nodes will be check

along the hierarchical path. Barroux's design checks nodes individually along the

network path (column 14, lines 25 – column 18, line 21, Barroux). However, Barroux

does not teach the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though does

allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network

monitoring, it is Ries' design that teaches the use of inherited policies. It would have

been obvious to one skilled in the art, during the time of the invention, to have

combined the teachings of Ries with those of Barroux, for the purpose of measuring

performance and monitoring service quality within an information system (column 2,

lines 62-65, Ries)).

17. With regards to claim 17, Barroux teaches through Ries, the method management

of computer application via a computer network, wherein the dynamic determining

includes reading policies of   nodes along a path of nodes from the policies of the

selected node up to the policies of a root of the hierarchical tree structure

(Barroux teaches a system for managing a network of devices and resources.

The processes to be performed are computed (column 4, line 3, Barroux), hence

they are determined dynamically. However, Barroux does not teach the use of

inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though does

allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network

monitoring, it is Ries' design that teaches the use of inherited policies. It would have

been obvious to one skilled in the art, during the time of the invention, to have

combined the teachings of Ries with those of Barroux, for the purpose of measuring

performance and monitoring service quality within an information system (column 2,

lines 62-65, Ries)).

18. With regards to claim 18, Barroux teaches through Ries, the method for

management of a network of devices and resources via a computer network, wherein

each policy is selected from the group consisting of a configuration rule and a

scheduled task

(Barroux teaches a system for managing a network of devices and resources.

The administrative database contains a database of the policies that are enforceable

and hence the policy can be selected as claimed (column 3, line 54 – column 4, line

10, Barroux). However, Barroux does not teach the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though does

allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network

monitoring, it is Ries' design that teaches the use of inherited policies. It would have

been obvious to one skilled in the art, during the time of the invention, to have

combined the teachings of Ries with those of Barroux, for the purpose of measuring

performance and monitoring service quality within an information system (column 2,

lines 62-65, Ries)).

19. With regards to claim 19, Barroux teaches through Ries, a method for management

of a network of devices and resources via a computer network, wherein when the policy

is a scheduled task, further comprising causing performance of the task by the agent

when the scheduled task is to be performed

(Barroux teaches a system for managing a network of devices and resources.

The administrative database contains a database of the policies that are enforceable

and hence the policy can be selected as claimed (column 3, line 54 – column 4, line

10, Barroux). The task inherently is performed as claimed, or else there is no

purpose to having the task. However, Barroux does not teach the use of inherited

policies.

Ries also teaches a design for monitoring a network. Ries' design though does

allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network

monitoring, it is Ries' design that teaches the use of inherited policies. It would have

been obvious to one skilled in the art, during the time of the invention, to have

combined the teachings of Ries with those of Barroux, for the purpose of measuring

performance and monitoring service quality within an information system (column 2,

lines 62-65, Ries)).

20. With regards to claim 20, Barroux teaches through Ries, a method for

management of a network of devices and resources via a computer network,

further comprising selectively transmitting data from a software repository of the

policy orchestrator server to the device via the agent corresponding to the device

(Barroux teaches a system for managing a network of devices and

resources. Barroux's design has with software transferred to the network device

through the agent (column 11, line 40 – column 14, line 23, Barroux). However,

Barroux does not teach the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though

does allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries'

design disclose methods for network monitoring, it is Ries' design that teaches

the use of inherited policies. It would have been obvious to one skilled in the art,

during the time of the invention, to have combined the teachings of Ries with

those of Barroux, for the purpose of measuring performance and monitoring

service quality within an information system (column 2, lines 62-65, Ries)).

21. With regards to claim 21, Barroux teaches a method for management of a

network of devices and resources via a computer network, further comprising

transmitting an agent installation module by the policy orchestrator server to the

device for installation of the corresponding agent on the device

(Barroux teaches a system for managing a network of devices and resources. Barroux's design has a software repository and allows for the software to be delivered and installed into the network devices (column 11, line 40 – column 14, line 22, Barroux). An agent must be present for such a process to occur as claimed. However, Barroux does not teach the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though does allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network monitoring, it is Ries' design that teaches the use of inherited policies. It would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Ries with those of Barroux, for the purpose of measuring performance and monitoring service quality within an information system (column 2, lines 62-65, Ries)).

22. With regards to claim 22, Barroux teaches through Ries, a computer program product for management of a network of devices and resources available to the devices via a computer network, comprising: computer code that determines a hierarchical tree structure based upon locations of devices in a network topology, each device being a node in the hierarchical tree structure; computer code that determines policies for each node in the hierarchical tree structure to be enforced by an agent corresponding to each node, the agent being in

communication with the device and the resources corresponding to the device;

and computer code that communicates the policy to the corresponding agent;

wherein the policies corresponding to the resources of each device are

selectively inherited along the hierarchical tree structure of the network directory;

and a computer readable medium that stores said computer codes

(Barroux teaches a system for managing a network of devices and

resources. A GUI is provided to view the network from a hierarchical level

(topology) (column 4, lines 49-52, Barroux). Barroux's design also allows for

policy defining and enforcing (column 3, line 64 – column 4, line 14, Barroux).

This includes the search of the network and policy handling techniques claimed.

In addition, Barroux's design has agents within each device to assist in

monitoring and managing the network (column 3, lines 41-53, Barroux).

However, Barroux does not teach the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though

does allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries'

design disclose methods for network monitoring, it is Ries' design that teaches the

use of inherited policies. It would have been obvious to one skilled in the art,

during the time of the invention, to have combined the teachings of Ries with those

of Barroux, for the purpose of measuring performance and monitoring service

quality within an information system (column 2, lines 62-65, Ries)).

23. With regards to claim 23, Barroux teaches through Ries, the computer program

product for management of a network of devices and resources via a computer

network, further comprising computer code that enforces the polices upon the

corresponding device and resources available to the device

(Barroux teaches a system for managing a network of devices and

resources. Barroux's design has the policies enforce by agents, as in all network

monitoring or managing systems (column 3, line 24 – column 4, line 19, Barroux).

However, Barroux does not teach the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though

does allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for

network monitoring, it is Ries' design that teaches the use of inherited policies. It

would have been obvious to one skilled in the art, during the time of the

invention, to have combined the teachings of Ries with those of Barroux, for the

purpose of measuring performance and monitoring service quality within an

information system (column 2, lines 62-65, Ries)).

24. With regards to claim 24, Barroux teaches through Ries, the computer program

product for management of a network of devices and resources via a computer

network, further comprising: computer code that transmits an agent installation

package to the corresponding device; computer code that installs the agent on

the device; and computer code that transmits a message by the agent to the

policy   orchestrator server, the message containing properties of the device,

the agent being adapted to enforce the policies corresponding to the resources

contained in the network directory

(Barroux teaches a system for managing a network of devices and

resources. The agents in network monitoring/managing systems have to

installed, as they are in Barroux's design and as claimed (column 11, lines 40-48,

Barroux). However, Barroux does not teach the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though

does allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network

monitoring, it is Ries' design that teaches the use of inherited policies. It would

have been obvious to one skilled in the art, during the time of the invention, to

have combined the teachings of Ries with those of Barroux, for the purpose of

measuring performance and monitoring service quality within an information

system (column 2, lines 62-65, Ries)).

25. With regard to claim 25, Barroux teaches through Ries, the computer program

product for management of a network of devices and resources via a computer

network, further comprising computer code that selectively displays the

hierarchical tree structure and the policies stored in the network directory in

communication with the network directory and the policy orchestrator server, the

management console providing a user interface

(Barroux teaches a system for managing a network of devices and
resources. A GUI is provided to view the network from a hierarchical level
(topology) (column 4, lines 49-52, Barroux). In addition, Barroux teaches how
the GUI is a an interface for managing (management console) (column 3, lines
24-40, Barroux). However, Barroux does not teach the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though
does allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for
network monitoring, it is Ries' design that teaches the use of inherited policies. It
would have been obvious to one skilled in the art, during the time of the
invention, to have combined the teachings of Ries with those of Barroux, for the
purpose of measuring performance and monitoring service quality within an
information system (column 2, lines 62-65, Ries)).

26. With regards to claim 26, Barroux teaches through Ries, the computer program
product for management of a network of devices and resources via a computer
network, further comprising computer code that dynamically determines the
policy of a selected node of the hierarchical tree structure by the management
console

(Barroux teaches a system for managing a network of devices and
resources. The processes to be performed are computed (column 4, line 3,

Barroux), hence they are determined dynamically. However, Barroux does not
teach the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though
does allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for
network monitoring, it is Ries' design that teaches the use of inherited policies. It
would have been obvious to one skilled in the art, during the time of the
invention, to have combined the teachings of Ries with those of Barroux, for the
purpose of measuring performance and monitoring service quality within an
information system (column 2, lines 62-65, Ries)).

27. With regards to claim 27, Barroux teaches through Ries, the computer program
product for management of a network of devices and resources via a computer
network, wherein the computer code that dynamically determines includes
computer code that reads policies of nodes along a path of nodes from a root of
the hierarchical tree structure down to the selected node and computer code that
overwrites previously written policies upon reading conflicting policies at each
node along the path of nodes

(Barroux teaches a system for managing a network of devices and
resources. The processes to be performed are computed (column 4, line 3,
Barroux), hence they are determined dynamically. In addition, it is inherent that
nodes will be check along the hierarchical path. Barroux's design checks nodes

individually along the network path (column 14, lines 25 – column 18, line 21, Barroux). However, Barroux does not teach the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though does allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network monitoring, it is Ries' design that teaches the use of inherited policies. It would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Ries with those of Barroux, for the purpose of measuring performance and monitoring service quality within an information system (column 2, lines 62-65, Ries)).

28. With regards to claim 28, Barroux teaches through Ries, the computer program product for management of a network of devices and resources via a computer network, wherein the computer code that dynamically determines includes computer code that reads policies of nodes along a path of nodes from the policies of the selected node up to the policies of a root of the hierarchical tree structure

(Barroux teaches a system for managing a network of devices and resources. The processes to be performed are computed (column 4, line 3, Barroux), hence they are determined dynamically. However, Barroux does not teach the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though does allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network monitoring, it is Ries' design that teaches the use of inherited policies. It would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Ries with those of Barroux, for the purpose of measuring performance and monitoring service quality within an information system (column 2, lines 62-65, Ries)).

29. With regards to claim 29, Barroux teaches through Ries, the computer program product for management of a network of devices and resources via a computer network, wherein each policy is selected from the group consisting of a configuration rule and a scheduled task

(Barroux teaches a system for managing a network of devices and resources. The administrative database contains a database of the policies that are enforceable and hence the policy can be selected as claimed (column 3, line 54 – column 4, line 10, Barroux). However, Barroux does not teach the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though does allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network monitoring, it is Ries' design that teaches the use of inherited policies. It

would have been obvious to one skilled in the art, during the time of the

invention, to have combined the teachings of Ries with those of Barroux, for the

purpose of measuring performance and monitoring service quality within an

information system (column 2, lines 62-65, Ries)).

30. With regards to claim 30, Barroux teaches through Ries, the computer program

product for management of a network of devices and resources via a computer

network, wherein when the policy is a scheduled task, further comprising

computer code that causes performance of the task by the agent when the

scheduled task is to be performed

(Barroux teaches a system for managing a network of devices and

resources. The administrative database contains a database of the policies that

are enforceable and hence the policy can be selected as claimed (column 3, line

54 – column 4, line 10, Barroux). The task inherently is performed as claimed, or

else there is no purpose to having the task. However, Barroux does not teach

the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though

does allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for

network monitoring, it is Ries' design that teaches the use of inherited policies. It

would have been obvious to one skilled in the art, during the time of the

invention, to have combined the teachings of Ries with those of Barroux, for the

purpose of measuring performance and monitoring service quality within an

information system (column 2, lines 62-65, Ries)).

31. With regards to claim 31, Barroux teaches through Ries, the computer program

product for management of a network of devices and resources via a computer

network, further comprising computer code that selectively transmits data from a

software repository of the policy orchestrator server to the device via the agent

corresponding to the device

(Barroux teaches a system for managing a network of devices and

resources. Barroux's design has with software transferred to the network device

through the agent (column 11, line 40 – column 14, line 23, Barroux). However,

Barroux does not teach the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though

does allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for

network monitoring, it is Ries' design that teaches the use of inherited policies. It

would have been obvious to one skilled in the art, during the time of the

invention, to have combined the teachings of Ries with those of Barroux, for the

purpose of measuring performance and monitoring service quality within an

information system (column 2, lines 62-65, Ries)).

32. With regards to claim 32, Barroux teaches through Ries, the computer program

product for management of a network of devices and resources via a computer

network, further comprising computer code that transmits an agent installation

module by the policy orchestrator server to the device for installation of the

corresponding agent on the device

(Barroux teaches a system for managing a network of devices and

resources. Barroux's design has a software repository and allows for the

software to be delivered and installed into the network devices (column 11, line

40 – column 14, line 22, Barroux). An agent must be present for such a process

to occur as claimed. However, Barroux does not teach the use of inherited

policies.

Ries also teaches a design for monitoring a network. Ries' design though

does allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for

network monitoring, it is Ries' design that teaches the use of inherited policies. It

would have been obvious to one skilled in the art, during the time of the

invention, to have combined the teachings of Ries with those of Barroux, for the

purpose of measuring performance and monitoring service quality within an

information system (column 2, lines 62-65, Ries)).

33. With regards to claim 33, Barroux teaches through Ries, a computer program

product for management of a network of devices and resources available to the

devices via a computer network, comprising: computer code that contains a

network directory defining a hierarchical tree structure containing nodes

corresponding to the network of devices and defining policies corresponding to

and to be enforced upon the resources available to the devices; computer code

that facilitates communication between a policy orchestrator server and the

network directory to facilitate accessing data from and storing data to the

network directory, the data relating to the nodes of the hierarchical tree structure

corresponding to the devices and to the policies corresponding to the resources;

computer code that facilitates communication between an agent and the policy

orchestrator server and the resources corresponding to the device, the agent

computer code being adapted to enforce the policies corresponding to the

resources contained in the network directory, wherein the policies corresponding

to the resources of each device are selectively inherited down the hierarchical

tree structure of the network directory; and a computer readable medium that

stores said computer codes

(Barroux teaches a system for managing a network of devices and resources.

A GUI is provided to view the network from a hierarchical level (topology)

(column 4, lines 49-52, Barroux). Barroux's design also allows for policy defining

and enforcing (column 3, line 64 – column 4, line 14, Barroux). This includes the

search of the network and policy handling techniques claimed. In addition,

Barroux's design has agents within each device to assist in monitoring and

managing the network (column 3, lines 41-53, Barroux). However, Barroux does

not teach the use of inherited policies.

Ries also teaches a design for monitoring a network. Ries' design though

does allow for policies to be inherited (column 3, lines 13-16, Ries).

While both Barroux's design and Ries' design disclose methods for network

monitoring, it is Ries' design that teaches the use of inherited policies. It would

have been obvious to one skilled in the art, during the time of the invention, to

have combined the teachings of Ries with those of Barroux, for the purpose of

measuring performance and monitoring service quality within an information

system (column 2, lines 62-65, Ries)).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Azizul Choudhury whose telephone number is 703-305-

7209. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David Wiley can be reached on 703-308-5221. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

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AC

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